

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 ROBERT BARON DUFFY, and others,  
12 Plaintiffs,  
13 v.  
14 FACEBOOK, INC., and others,  
15 Defendants.

Case No. 16-cv-06764 NC

**ORDER TO SHOW CAUSE WHY  
CASE SHOULD NOT BE  
TRANSFERRED TO SAN  
FRANCISCO/OAKLAND DIVISION**

Re: Dkt. No. 1

17 Plaintiffs Robert Duffy and Robert Gary assert violations of their civil rights by  
18 Facebook and certain of its employees. According to plaintiffs' complaint, Facebook's  
19 "managers in Menlo Park, California" were aware of Facebook's alleged racial  
20 discrimination and failed to take adequate steps to correct it. Complaint, Dkt. 1, at ¶ 7.  
21

22 Under Northern District of California Civil Local Rule 3-2(c), the Clerk should  
23 assign a civil action to the Courthouse serving the county in which the action arises. A  
24 civil action arises in the county "in which a substantial part of the events or omissions  
25 which give rise to the claim occurred or in which a substantial part of the property that is  
26 the subject of the action is situated." Civil L.R. 3-2(c). Civil actions that arise in San  
27 Mateo County should be assigned to a courthouse in the San Francisco/Oakland Division.  
28 Civil L.R. 3-2(d).

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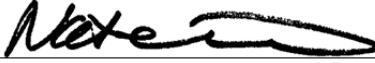
1        It appears that this case should have been assigned to the San Francisco/Oakland  
2 Division, rather than the San Jose Division, because the action “arises in” San Mateo  
3 County. The complaint references communications to Facebook in Menlo Park (which is  
4 in San Mateo County), but does not explicitly reference any actions that took place in  
5 Santa Clara County.

6        Accordingly, plaintiffs by December 2, 2016, must either file a consent to transfer  
7 this case to the San Francisco/Oakland Division, or explain in writing why this case should  
8 not be transferred to the San Francisco/Oakland Division.

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10      **IT IS SO ORDERED.**

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12      Dated: November 26, 2016

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NATHANAEL M. COUSINS  
United States Magistrate Judge